

**Appl. No. 10/695,363
Amdt. dated May 12, 2006
Reply to Notice of Panel Decision of April 6, 2006**

REMARKS/ARGUMENTS

Applicants have received the Notice of Panel Decision from Pre-Appeal Review of April 6, 2006, in which the Panel rejected claims 1, 2 and 4-9 and withdrew claims 10-24.

With this Response, Applicants have amended claims 1-2, 4 and 6-7. Also, Applicants have added claims 25-37 and canceled claims 10-24. Applicants may choose to pursue the canceled claims in a continuation application. Based on the amendments and arguments presented herein, Applicants request reconsideration and allowance of the pending claims.

I. § 103 REJECTIONS

Amended claim 1, in part, requires "a storage controller for managing transfers of data between a host and a storage memory" and "a buffer...for storing data being transferred between the host and the storage memory." Claim 1 further requires "to conserve power, the storage controller selectively turns off a portion of the storage system based on an amount of data in the buffer."

In rejecting the claims, the Examiner has cited Trost and White. Trost teaches a dynamic storage system where the data transfer rate is adjusted based on the amount of data stored in a FIFO buffer (see Abstract and Figure 1). If the FIFO buffer is filling up, the data transfer rate is reduced. If the FIFO buffer is emptying, the data transfer rate is increased (col. 2, lines 14-30). White teaches a computer 1 that conserves power during a sleep mode by reducing a refresh rate for a DRAM 13. To correct errors that occur because of the reduced refresh rate, the computer 1 implements error correction encoding during the sleep mode and error correction decoding once a normal mode is restored (see paragraphs [0018]-[0020]).

None of the references cited by the Examiner, considered individually or together, teach or suggest Applicants' claimed "to conserve power, the storage controller selectively turns off a portion of the storage system based on an amount of data in the buffer." In White, the sleep mode is activated "if no user activity has been detected for several minutes" (paragraph [0025]) and is not based on "an amount of data in the buffer" as required in claim 1. Trost is also

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deficient as there is no "storage controller [that] selectively turns off a portion of the storage system based on an amount of data in the buffer." As previously described, Trost's system simply adjusts a data transfer rate based on an amount of data in the FIFO buffer. For at least these reasons, claim 1 and its dependent claims are allowable.

II. NEW CLAIMS

New claim 25, in part, requires "a storage controller for managing transfers of data between a host and a storage memory" and "a buffer...for storing data being transferred between the host and the storage memory." Claim 25 further requires "to conserve power, the storage controller selectively turns off a portion of the storage system while data is being transferred from the buffer."

None of the references cited by the Examiner, considered individually or together, teach or suggest Applicants' claimed "to conserve power, the storage controller selectively turns off a portion of the storage system while data is being transferred from the buffer." White does not even mention a buffer and Trost only teaches adjusting a variable data transfer rate based on an amount of data in a buffer. For at least these reasons, claim 25 and its dependent claims are allowable.

III. CONCLUSIONS


In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of

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time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,


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